

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 23RD DAY OF JULY 2007, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Steve L. Spradlin	-Chair
	Mary W. Biggs (arrived 6:05 p.m.)	-Vice Chair
	Gary D. Creed	-Supervisors
	Doug Marrs (arrived 6:10 p.m.)	
	John A. Muffo	
	Annette S. Perkins (arrived 6:05 p.m.)	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	T.C. Powers	-Planning Director
	Angie Hill	-Financial & Management Service Director
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- | | | |
|------------------|-----|--|
| Section 2.2-3711 | (1) | Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body |
| | | 1. Personnel |
| | | 2. Parks & Recreation |
| | (5) | Discussion Concerning a Prospective Business or Industry or The Expansion of An Existing Business or Industry Where No Previous Announcement Has Been Made of The Business= or Industry's Interest In Locating or Expanding Its Facilities In The Community. |
| | | 1. Project # 2007-017 |
| | | 2. Project # 2007-021 |
| | (7) | Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel |

1. Manufacturing Technology Building

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Mary W. Biggs
James D. Politis		Doug Marrs
Gary D. Creed		Annette S. Perkins
Steve L. Spradlin		

Supervisors Biggs and Perkins arrived at 6:05 p.m. and Supervisor Marrs arrived at 6:10 p.m.

OUT OF CLOSED MEETING

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Annette S. Perkins	
Mary W. Biggs	
Doug Marrs	
Gary D. Creed	
John A. Muffo	
Steve L. Spradlin	

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES
Annette S. Perkins
Mary W. Biggs
Doug Marrs
Gary D. Creed
John A. Muffo
James D. Politis
Steve L. Spradlin

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

Proposed Ordinance Amending Chapter 7, Article IV, Section 7-77, Entitled Noise

Proposed Ordinance Amending Chapter 7, Article IV, Section 7-77, Entitled Noise, of the Code of the County of Montgomery, by removing time limitations as to when a specified act may constitute a noise disturbance under the Code.

Sandra Wallace spoke in support of the proposed ordinance. Ms. Wallace lives in the Plum Creek area of Montgomery County and complained of car stereos being played loud enough to rattle the windows in her house. There are several day sleepers and residents who work swing shift that are bothered by this nuisance. Ms. Wallace hopes the Board takes this opportunity to amend the County's noise ordinance in order for something to be done to solve their problem.

There being no further speakers, the public hearing was closed.

Proposed Ordinance Amending Chapter 6, Article IV, Division 2, Entitled County Vehicle License

Proposed Ordinance Amending Chapter 6, Article IV, Division 2 Entitled County Vehicle License, Sections 6-86, 6-87, 6-88, 6-89, 6-91, 6-92, 6-93, and 6-95 Respectively of the Code of the County of Montgomery, Virginia by Increasing the Vehicle License Fee, Changing when that Fee is Due, and by Deleting the Proration and Refund Provisions and the Requirement to Purchase and Display Vehicle License Decals.

John Early spoke in support of eliminating the need to display a vehicle license decal; however, he is opposed to the proposed increase in the vehicle license fee from \$20.00 to \$27.50. In his opinion this is just another tax increase. If \$16,000 in savings is estimated by eliminating the decal he does not see why the County is proposing to increase the fee. Mr. Early also believes it's no use for residents to voice their opinions as it doesn't do any good.

PUBLIC ADDRESS

Paula Alston, Library Director, presented Supervisor John Muffo with a Celebrity READS Campaign Poster featuring Supervisor Muff with his favorite book. The Celebrity READS Campaign is a campaign using real people with their favorite book. Ms. Alston looks forward to working with the other Board members in getting their photograph taken with their favorite book for their READS Poster.

Fred Gerald spoke in support of the resolution establishing an invocation at the beginning of the Board of Supervisors meetings that is listed on tonight's agenda. Mr. Gerald stated that the U.S. Senate and U.S. House of Representatives start each of their meetings with prayer and he believes that local governing bodies should do the same. He urged the Board to consider supporting this resolution.

John Early spoke in support of having invocation at the beginning of Board meetings. Mr. Early believes prayer is the most important thing there is and prayer can change things. Prayer will help guide the Board of Supervisors in their decision making.

Stacie Haynes encouraged the Board to start their meetings with prayer. Ms. Haynes stated that prayer is not confined or restrictive to certain days when church is in service, it is for every day of the week. This Country was founded by God fearing men and women and the founding fathers put their faith in God. Ms. Haynes asked that all those in support of the proposed resolution establishing an invocation to stand. Approximately 25 people stood in support.

Veronica Spradlin spoke in support of having invocation at the beginning of Board meetings. Ms. Spradlin stated this issue was dear to her heart and the Board needs to take a stand and vote on the issue. She asked each Board member to vote in favor of the proposed resolution.

There being no further speakers, the public address was closed.

CONSENT AGENDA

The County Administrator stated that a change had been made to a resolution on the Consent Agenda entitled “Blacksburg Stadium Property Appropriation”, the amount to be appropriated increased from \$333,000 to \$337,000.

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously, the Consent Agenda dated July 23, 2007 was approved as amended.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Gary D. Creed	
John A. Muffo	
James D. Politis	
Annette S. Perkins	
Steve L. Spradlin	

Approval of Minutes

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously, the minutes dated June 25, 2007 were approved.

A-FY-08-25 REAPPROPRIATION OF GRANTS

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

111	EMS Grants	\$325,762
201	Commonwealth Attorney-Domestic Violence	\$19,106
321	Offender Financed Drug Program	\$15,243
	Selective Traffic Enforcement	\$4,670
	DARE Program	\$1,723
	Project Lifesaver	\$14,348
	Byrne Justice Assistance	\$2,614
521	CSA Innovative Community Services Grant	\$80,738
801	Dry Well Replacement	\$16,500
	Village Transportation	\$100
911	Mental Health Association	<u>\$301,726</u>
	Total	\$782,530

Sources of funds for the foregoing appropriation are as follows:

Revenue:

02201-424401 Domestic Violence	\$19,106
23212-424401 Selective Traffic Enforcement	\$4,670
23233-434401 Byrne Justice Assistance	\$2,353
25111-424401 CSA Innovative Community Service	\$80,738
28013-424401 Dry Well Replacement	\$16,500
28015-424401 Village Transportation Link	\$100
09111-434401 Mental Health Grant	\$301,726
02-451205 Designated Fund Balance	<u>\$357,337</u>
Total	\$782,530

Said resolution appropriates those grants for which balances are known. Reappropriated balances are needed to cover the payment of invoices received and the refund of unexpended monies.

**A-FY-08-15
VICTIM WITNESS GRANT**

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008 for the function and in the amount as follows:

551	Victim Witness Grant	\$134,195
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

25511-424401 Victim Witness Grant	\$134,195
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Said resolution appropriates the Victim Witness Grant funds for FY 08.

**A-FY-08-16
RECONCILIATION OF
COMPENSATION BOARD BUDGETS**

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriations for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

310	Sheriff	\$12,692
200	Commonwealth's Attorney	77,234
150	Commissioner of Revenue	<u>1,445</u>
Total		\$91,371

The sources of the funds for the foregoing are as follows:

Revenue Account

02310	423100 Shared Expense - Sheriff	\$ 36,186
02200	423100 Shared Expense – Commonwealth's Attorney	55,457
02250	423100 Shared Expense – Clerk of Circuit Court	26,567
02	451203 Undesignated Fund Balance	<u>(26,839)</u>
Total		\$ 91,371

Said resolution adjusts the Constitutional Officers' budget to reconcile with the Compensation Board approved amounts and adds dollars to undesignated fund balance to offset costs of implementing the higher VRS rate January 1, 2008.

A-FY-08-17
SHERIFF
RECOVERED COSTS

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

321	Sheriff – Grants	\$475
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
424401	Project Lifesaver
	\$475

Said resolution appropriates project lifesaver funds for use by the Sheriff's department.

A-FY-08-18
TREASURER
DMV STOP FEES

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriations for the fiscal year ending June 30, 2008 for the function and in the amount as follows:

162	Treasurer	\$5,948
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The sources of funds for the foregoing appropriation are as follows:

<u>Revenue Account:</u>	
02 411605	DMV Stop Fees
02 416010	Warrant in Debt Fees
	\$5,920
	28
	\$5,948

Said resolution appropriates DMV Stop Fees and Warrant in Debt Fees collected to pay the associated fee to the DMV and Commonwealth of Virginia.

A-FY-08-19
LIBRARY
SUPPLEMENTAL APPROPRIATION

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

710	Montgomery Library	\$2,021
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
02710-424409 State Library Grant	\$2,021

Said resolution appropriates grant funds for use by the Library.

A-FY-08-20
GENERAL DISTRICT COURT
TRANSFER FROM GENERAL CONTINGENCIES
OFFICE FURNITURE

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

<u>FROM:</u>	
950 General Contingencies	(\$6,520)

<u>TO:</u>	
250 General District Court	\$6,520

Said resolution transfers appropriated funds from General Contingencies to the General District Court to cover the cost of new office furniture and mobile filing systems. The furniture will be used when the office temporarily relocates to the Government Center and will be used in the renovated Courthouse.

A-FY-08-21
TECHNOLOGY FUND
TRANSFER TO COUNTY CAPITAL PROJECTS

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

451209 Transfer to County Capital Projects	\$256,000
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The source of funds for the foregoing appropriation is as follows:

451205 Designated Fund Balance	
- Technology Reserve	\$256,000

BE IT FURTHER RESOLVED, The County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008 for the function and in the amount as follows:

121402 IS	Sheriff's Office Computer Aided Dispatch	\$175,000
121425 IS	Disaster Recovery	\$ 56,000
121426 IS	Munis Document Management	<u>\$ 25,000</u>
	Total	\$256,000

The source of funds for the foregoing appropriation is as follows:

451100 Transfer from General Fund	\$256,000
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Said resolution appropriates funds from the Technology Reserve for technology projects prioritized by the Executive Management Team for Technology.

A-FY-08-22
BLACKSBURG STADIUM PROPERTY
APPROPRIATION

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

451209	Transfer to County Capital Projects	\$337,000
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The source of funds for the foregoing appropriation is as follows:

451203	Undesignated Fund Balance	\$337,000
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BE IT FURTHER RESOLVED, The County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008 for the function and in the amount as follows:

124001 LD	Land Purchase	\$337,000
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The source of funds for the foregoing appropriation is as follows:

451100	Transfer from General Fund	\$337,000
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Said resolution appropriates additional funds to cover the cost of the Blacksburg Stadium property.

A-FY-08-23
SCHOOL CAPITAL PROJECTS

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a School Capital Projects Fund transfer of appropriation is hereby authorized, as follows:

<u>FROM:</u>		
660	Future Unspecified Projects	(\$3,100,000)
 <u>TO:</u>		
6617	Elliston/Lafayette Elementary School	\$1,500,000
6622	Blacksburg High School Athletic Field	<u>\$1,600,000</u>
	Total	\$3,100,000

Said resolution transfers funds from Future Unspecified Projects to the Elliston/Lafayette Elementary School and Blacksburg High School Athletic Field projects.

R-FY-08-09
A RESOLUTION SUPPORTING THE
PLANNING DISTRICT COMMISSION'S APPLICATION
FOR THE VIRGINIA DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT'S
SOUTHERN RIVERS WATERSHED ENHANCEMENT PROGRAM (SRWEP)
PLANNING GRANT TO CONDUCT
A NEEDS ASSESSMENT, PRIORITIZATION, AND
PRELIMINARY ENGINEERING REPORT
OF INADEQUATE WASTEWATER TREATMENT FACILITIES IN
FLOYD, GILES, MONTGOMERY, AND PULASKI COUNTIES

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

WHEREAS, The Virginia Department of Housing and Community Development's Southern Rivers Watershed Enhancement Program (SRWEP) is designed to “improve water quality in the streams and groundwaters of the “southern rivers” regions of Virginia while directly enhancing the quality of life of communities and their residents through installation and expansion of sewage treatment and collection systems; and

WHEREAS, Montgomery County has supported the development and improvement of wastewater facilities in the seven villages in Montgomery County and has strongly supported clean water initiatives through the comprehensive planning and village planning processes; and

WHEREAS, The planning, engineering, and construction grants program is available to cities and counties proposing projects in those areas of Virginia that **do not** drain into the Chesapeake Bay; and

WHEREAS, The Planning District Commission, in consultation with the four jurisdictions, has identified a number of key study areas, Lafayette and the confluence of the North and South Forks of the Roanoke River as an area of interest; and

WHEREAS, The New River Valley Planning District Commission is submitting a \$150,000 dollar SRWEP grant application on behalf of Montgomery, Giles, Pulaski, and Floyd Counties to perform a Needs Assessment/Prioritization and Preliminary Engineering Report; and

WHEREAS, The funds and effort will be equally divided amongst the four county region to identify sub-standard wastewater treatment facilities, whether antiquated individual systems, rural clusters for decentralized systems, and/or extensions to existing public wastewater systems.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby supports the New River Valley Planning District Commission's submission of application for planning and engineering funds from the Virginia Department of Housing and Community Development's Southern Rivers Watershed Enhancement Program.

OLD BUSINESS

**ORD-FY-08-03
AN ORDINANCE AMENDING CHAPTER 8,
ARTICLE III, SECTION 8-69
OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA
ENTITLED EROSION AND SEDIMENT CONTROL
IN ORDER TO AMEND THE FEE STRUCTURE FOR AGREEMENT
IN LIEU OF A PLAN AND TO ASSESS A NEW TECHNOLOGY FEE**

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 8, Article III, Section 8-69 of the Code of the County of Montgomery, Virginia is hereby amended and reordained as follows:

Sec. 8-69. Fee Schedule.

(a) Residential.

Agreement in lieu of a plan ~~\$5.00~~ **\$260.00**

(includes all processing charges and required inspections but does not include technology fee)

~~Monthly Inspection Fee for a single residence pursuant to an agreement in lieu of a plan
.. 35.00~~

Agreements in Lieu of a plan existing prior to July 1, 2007, that have not been completed shall continue to be charged a monthly fee of \$35 until such time that the permit holder for that specific Agreement in lieu of plan has been charged a maximum of \$260 in inspection fees at which time no additional inspection fees will be charged. Agreements in lieu of a plan in existence as of July 1, 2007, shall be assessed a technology fee in addition to the monthly inspection fees.

(b) Non-Residential

Plan Review Fee:

1. ~~Up to and including one~~ For first acre of disturbed area or any part there of\$50.00
2. Each additional acre of disturbed area or part thereof \$35.00
not to exceed a maximum plan review fee of \$1,000.00.

Monthly inspection fee pursuant to plan review:

1. ~~Up to and including one~~ For first acre of disturbed area or part thereof\$50.00
2. Each additional acre of disturbed area or part thereof \$ 6.00
not to exceed a maximum monthly inspection fee of \$250.00.

(c) Technology Fee

There shall be a 2% Technology Fee with a minimum of \$10 per assessment of the fee charged on all residential and non-residential fees charged above including all monthly inspections fees.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Gary D. Creed	
John A. Muffo	
James D. Politis	
Annette S. Perkins	
Mary W. Biggs	
Steve L. Spradlin	

NEW BUSINESS

Chair Spradlin at this time vacated his seat as Chair and the Vice-Chair took over in order for him to participate in discussion on the proposed resolution establishing an invocation at the beginning of the Board of Supervisors meetings.

R-FY-08-10

**A RESOLUTION ESTABLISHING AN INVOCATION
BEFORE THE START OF BOARD OF SUPERVISORS PUBLIC MEETINGS**

On a motion by Steve L. Spradlin, seconded by Doug Marrs and carried,

BE IT RESOLVED By the Board of Supervisors of the County of Montgomery that the Board of Supervisors hereby agrees to have an Invocation or a Moment of Silence before the start of the Board of Supervisors public meetings, under the following guidelines:

1. The Invocation or Moment of Silence shall be performed by Board of Supervisor members, Constitutional Officers or County staff as directed by the Chair of the Board of Supervisors.
2. The purpose of the Invocation is to seek divine guidance for the Board of Supervisors before engaging in its public business. The Invocation shall be a blessing for the benefit of the Board, directed only at the Board of Supervisor members themselves.

3. The Invocation shall be non-sectarian containing elements of the American civil religion and shall not proselytize or advance any one faith or belief or disparage any other faith or belief.

The Invocation shall not affiliate the Board of Supervisors with one specific faith or belief or advance one religion over another. The Invocation must be non-denominational that does not invoke the name of a specific deity associated with any one specific faith or belief.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins

Doug Marrs

James D. Politis

Gary D. Creed

Mary W. Biggs

Steve L. Spradlin

NAY

John A. Muffo

R-FY-08-11

**RESOLUTION OF THE BOARD OF SUPERVISORS OF
MONTGOMERY COUNTY, VIRGINIA DECLARING ITS INTENTION
TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE
TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE
AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION
OF CERTAIN CAPITAL PROJECTS FOR THE COUNTY**

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The County of Montgomery, Virginia (**the "County"**) is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, The County has paid, beginning no earlier than (60 days prior to adoption of this resolution), and will pay, on and after the date hereof, certain expenditures (**the "Expenditures"**) in connection with the acquisition of a certain capital project, listed on the attached Schedule A for the County (**the "Projects"**); and

WHEREAS, The Board of Supervisors of the County (**the "Board"**) has determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the County for the Expenditures from the proceeds of one or more issues of tax-exempt bonds (**the "Bonds"**).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA, AS FOLLOWS:

Section 1. The Board hereby declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County's intent to reimburse the County with the proceeds of the Bonds for Expenditures with respect to the Projects made on and after the date which is no more than 60 days prior to the date hereof. The County reasonably expects on the date hereof that it will reimburse itself for the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Projects is set forth on **Schedule A**.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Projects are placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. The County previously adopted a resolution relating to its intent to reimburse itself for Expenditures on the Projects on April 23, 2007, which is ratified, adopted and confirmed by reference in this resolution.

Section 6. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS 23rd day of July, 2007.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
Doug Marrs	
Mary W. Biggs	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Steve L. Spradlin	

**SCHEDULE A
PROJECTS**

Description of Project	Estimated Maximum Amount of Tax-Exempt Financing
<i>Acquisition, design and construction of a new elementary school currently known as the Elliston Lafayette Elementary School</i>	<i>\$25,000,000</i>
<i>Acquisition, design and construction of a new elementary school currently known as the Prices Fork Elementary School</i>	<i>\$25,000,000</i>

**A-FY-08-24
SCHOOL RESOURCE OFFICERS
FUNDING FOR FY 07-08**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, The Montgomery County Sheriff’s Department submitted grant applications soliciting funding for School Resource Officers for Christiansburg Middle School, Shawsville Middle School, and Auburn Middle School for FY 2007-2008; and

WHEREAS, The Montgomery County School Board has indicated the need for one school resource officer to be located at the Christiansburg Middle School, and has agreed to support the local match requirements for this position.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia authorizes an officer for the Christiansburg Middle School, Shawsville Middle School and Auburn Middle School for FY 2007-2008.

FURTHER, BE IT RESOLVED, The Board of Supervisors accepts the conditions of the program that requires a local match of 37.37% or \$16,128 for each officer.

FURTHER, BE IT RESOLVED, The Montgomery County Public Schools will pay the cost of the local match of \$16,128 for the school resource officer at the Christiansburg Middle School and the County will pay the cost of the local match for the school resource officer at Shawsville Middle School and Auburn Middle School for a total of \$32,256.

FURTHER, BE IT RESOLVED, The Board of Supervisors acknowledges that local dollars will be needed for the continuance of these positions in the future.

FURTHER, BE IT RESOLVED, By the Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

321	School Resource Officers	\$81,087
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
424401	State Grants
	\$ 81,087

BE IT FURTHER RESOLVED, That a transfer is authorized as follows:

<u>FROM:</u>		
451200	Transfer to School Operating	(\$16,128)
950	General Contingencies	(\$32,256)

<u>TO:</u>		
321	School Resource Officer Grant Program	\$48,384

BE IT FURTHER RESOLVED, That the School Operating Fund was adjusted as follows:

561000	Instruction	(\$16,128)
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The decrease in revenue for the above is:

451100	Transfer from General Fund	(\$16,128)
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Said resolution appropriates the School Resource Officer Grant funds and transfers the schools portion of the match.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
John A. Muffo	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
Gary D. Creed	
Steve L. Spradlin	

INTO WORK SESSION

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Gypsy Moth – VT Extension Service

The vote on the foregoing motion was as follows:

AYE

John A. Muffo
James D. Politis
Mary W. Biggs
Doug Marrs
Gary D. Creed
Annette S. Perkins
Steve L. Spradlin

NAY

None

Virginia Cooperative Gypsy Moth Suppression Program

Barry Robinson, Virginia Tech Extension, provided the Board with an update on the Gypsy Moth Suppression Program. The Virginia Department of Agriculture & Consumer Services (VDACS) has expanded the Virginia Gypsy Moth Quarantine to include Montgomery County. This program is designed to help prevent the movement of articles that may artificially spread gypsy moth. It also is used to determine those localities that qualify for participation in the Gypsy Moth Suppression Program, a grant funded program that aerially treats areas that will be impacted by gypsy moth.

Mr. Robinson explained that the gypsy moth caterpillar eats the leaves of thousands of acres of trees, leaving the trees bare, stressed, and vulnerable to disease. The gypsy moth started in the north and is slowly migrating toward the south and west. The northeastern United States is now fully infested with the gypsy moth. The suppression program is a Slow the Spread program that reduces the rate of spread and damage caused by the gypsy moth. Localities that participate in this program must appoint/hire a Gypsy Moth Coordinator. The Coordinator will be required to complete gypsy moth population surveys to determine those areas that will qualify for aerial treatments. These surveys are normally conducted in the fall and must be completed by mid-November. The spraying will be done the following spring.

Mr. Robinson reported that gypsy moths exist in several areas of Montgomery County, particularly around the Jefferson National Forest. Parts of the Jefferson National Forest located in Giles County were sprayed for gypsy moth this spring. Mr. Robinson also provided information on the types of control, effectiveness, and the need for homeowner participation.

The Board asked for additional information, including the cost and possible joint effort with Giles County.

OUT OF WORK SESSION

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

AYE

John A. Muffo
James D. Politis
Mary W. Biggs
Doug Marrs
Gary D. Creed
Annette S. Perkins
Steve L. Spradlin

NAY

None

COUNTY ADMINISTRATOR'S REPORT

Montgomery County Employee Picnic The County Administrator reminded Board members that the County Employee Picnic is Friday, July 27, 2007 at 7:00 p.m. at the Montgomery County Frog Pond.

Joint Meetings The County Administrator reminded Board members that the joint meeting with the Blacksburg Town Council is Monday, July 30, 2007 at 6:00 p.m. in the Multi-Purpose Room and the joint meeting with the School Board is Tuesday, July 31, 2007 at 6:00 p.m. in the Multi-Purpose Room.

BOARD MEMBERS' REPORT

Supervisor Biggs asked the County Administrator to contact Senator Webb, Senator Warner, and Congressman Rick Boucher on the federal government's plans for spraying for gypsy moth on federal land, particularly the Jefferson National Forest in Montgomery and Giles Counties.

Supervisor Spradlin announced the Riner Rescue Squad opened on Sunday, July 22, 2007. They are not fully staffed and the hours open will be limited until rescue personnel become available.

ADJOURNMENT

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously, the Board adjourned to Monday, July 30, 2007 at 6:00 p.m.

The vote on the foregoing motion was as follows:

AYE

Mary W. Biggs
Doug Marrs
Annette S. Perkins
John A. Muffo
James D. Politis
Gary D. Creed
Steve L. Spradlin

NAY

None

The meeting adjourned at 8:55 p.m.

APPROVED: _____ ATTEST: _____
Steve L. Spradlin B. Clayton Goodman, III
Chair County Administrator